

REMARKS

Claims 25-32, 34-43 and 45-48 are pending in the present application. Claims 34, 35, 45 and 46 were amended in this response to correct minor informalities. No new matter has been introduced as a result of the amendments. Favorable reconsideration is respectfully requested.

Claims 25, 27-32, 34-37, 40-43 and 45-48 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Gilhousen et al.* (US Patent 5,603,096 – hereafter “*Gilhousen I*”) in view of *Gilhousen et al.* (US Patent 5,280,472 - hereafter “*Gilhousen II*”) and *Davis et al.* (US Patent 4,518,961).

Claims 26, 38 and 39 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Gilhousen et al.* (US Patent 5,603,096 – hereafter “*Gilhousen I*”) in view of *Gilhousen et al.* (US Patent 5,280,472 - hereafter “*Gilhousen II*”) and *Davis et al.* (US Patent 4,518,961), and further in view of *Takayama et al.* (US Patent 5,982,294). Applicants traverse these rejections. Favorable reconsideration is respectfully requested.

Specifically, the cited art, alone or in combination, fails to teach “coding, in the receiver, the power control information in a time slot” and that “during the coding process, at least one bit in the coded data word is assigned a value which corresponds to a logic operation between the power control information to be transmitted in the corresponding time slot and the information to be transmitted in the same time slot from the further data” as recited in claim 33 and similarly recited in claim 44.

Regarding *Gilhousen I*, the reference teaches a power control bit multiplexer (220) that multiplexes a power control bit in place of another predetermined bit in the frame, and the mobile looks for the power control bit at that location. Once the bit is found, the bit value is processed as an instruction to increase or decrease mean output power levels (e.g., a “0” bit instructs the mobile to increase its mean output power level a predetermined amount and a “1” bit instructs the mobile to decrease its mean output level a predetermined amount) (col. 2, line 64-col. 3, line 3). However, as the Office Action has apparently conceded, *Gilhousen I* fails to teach coding, in the receiver, of the power control information in a time slot, with the addition of redundancy, together with further data to be transmitted in the same time slot to form a common data word, with at least one bit value in the data word depending on the power control information and on the further data.

Gilhousen II teaches an analog receiver 204 that performs a power control function for adjusting the transmit power of the mobile unit. *Gilhousen II* clearly teaches that receiver 204 generates an analog power control signal that is provided to transmit power control circuitry 208 (col. 24, lines 42-45). The power control signal is subsequently digitized by control processor 216 to form a power adjustment command (see col. 26, lines 23-33), but it is clear that coding occurs outside the receiver. Also, with regard to redundancy, the teaching of *Gilhousen II* clearly shows that the cyclic redundancy check (CRC) performed on data blocks is in the context of a vocoder for active speech on a variable rate channel (col. 15, lines 9-36). During active speech, *Gilhousen II* discloses that, due to the variations in speech activity, signaling bits should not inform the receiver how many bits are being transmitted (col. 15, lines 23-25). While *Gilhousen II* punctures power control bits within the voice data, the power control bits are randomized throughout the information stream (col. 22, lines 35-40). This teaching is in direct conflict with *Gilhousen I*, which requires specific placement of the power control bits at the multiplexer. As such, the two references combined would render the resulting configuration inoperable (see MPEP 2143.01). Nevertheless neither *Gilhousen I* or *Gilhousen II* disclose the feature of assigning a value to at least one bit in the coded data which corresponds to a logic operation between the power control information to be transmitted in the corresponding time slot and the information to be transmitted in the same time slot from the further data.

Davis fails to solve the deficiencies of *Gilhousen I* and *Gilhousen II*, discussed above. Davis discloses a battery-operated, adaptable signal decoder for a pager which is capable of processing received encoded signals corresponding to a number of decoding methods (see claim 1; col. 5, lines 24-39). The decoder in Davis has a processor to determine different clock rates pursuant to different decoding schemes, and has a separate “conservation means” for saving battery consumption based on pager identification contained in the code memory (col. 6, lines 13-21). Davis clearly does not disclose assigning a value to at least one bit in a coded data which corresponds to a logic operation between the power control information to be transmitted in the corresponding time slot and the information to be transmitted in the same time slot from the further data. Davis clearly discloses that the conservation means does not become operative until the received signal has already been decoded (col. 7, lines 23-34; col. 8, lines 36-45). Furthermore, the conservation means does not assign values corresponding to the power control information *to be transmitted*, as the paging device clearly does not transmit anything, but only

receives transmissions (col. 1, lines 16-33). Moreover, Davis cannot reasonably combined with either *Gilhousen I* or *Gilhousen II* - the Office Action fails to reconcile how the multiple decoding schemes identified in Davis could conceivably be utilized in the other cited references and still result in an operable configuration. For at least these reasons, Applicant respectfully submits the rejections under 35 U.S.C. §103 are traversed and should be withdrawn.

In light of the above remarks, Applicant respectfully submit that claims 25-32, 34-43 and 45-48 are allowable. Applicants respectfully submit that the patent application is in condition for allowance and request a Notice of Allowance be issued. The Commissioner is authorized to charge and credit Deposit Account No. 02-1818 for any additional fees associated with the submission of this Response. Please reference docket number 112740-344.

Respectfully submitted,

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